

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 1379 – SB 1726**

May 15, 2009

**SUMMARY OF AMENDMENT (008503):** Deletes the language of the original bill. Authorizes the sentencing judge, clerk, or district attorney general to convert unpaid fines, costs, and litigation taxes to a civil judgment when the defendant's sentence expires. Directs the Administrative Office of the Courts (AOC) to study the feasibility of implementing alternative methods for indigent defendants to offset court costs when the defendant is in default and requires AOC to file a report with the House and Senate Judiciary Committees by February 12, 2010.

**FISCAL IMPACT OF ORIGINAL BILL:**

Decrease State Revenue – Not Significant

Decrease Local Revenue – Not Significant

Increase Local Expenditures – Exceed \$100,000\*

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Decrease State Revenue – Not Significant**

**Increase State Expenditures – Not Significant**

**Decrease Local Revenue – Not Significant**

Assumptions applied to amendment:

- Defendants who have not paid fines, costs, and litigation taxes by the end of their sentence are assumed to be unable to pay. Any decrease in state and local revenue as a result of converting monies to a civil judgment is estimated to be not significant.
- According to the AOC, this study can be completed within existing resources and will not result in an increased appropriation or reduced reversion. Any increase in state expenditures is estimated to be not significant.

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**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/kmc